

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re BAYCOL PRODUCTS LITIGATION

MDL NO. 1431
(MJD/SRN)

This Document Relates to:

ORDER

Michael Acey, et al., v. Bayer Corp., et al.
(Plaintiff Johnnie Graise only)

Case No. 03-4983

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated May 10, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Johnnie Graise [Doc. No. 89] is GRANTED; and
2. Plaintiff Johnnie Graise's action is DISMISSED WITH PREJUDICE.

DATED: June 12, 2007.

s / Michael J. Davis
Judge Michael J. Davis
United States District Court Judge